

Commission Directive 96/8/EC of 26 February 1996 on foods intended for use in energy-restricted diets for weight reduction (Text with EEA relevance)

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THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 89/398/EEC of 3 May 1989 on the approximation of the laws of the Member States relating to foodstuffs intended for particular nutritional uses⁽¹⁾, and in particular Article 4 thereof,

Whereas the Community measures envisaged by this Directive do not exceed what is necessary for the attainment of the objectives already provided for by Directive 89/398/EEC;

Whereas the products covered by this Directive are varied and are generally distinguished as those intended to replace the whole of the daily diet and those intended to replace part of the daily diet;

Whereas the composition of such products should be such as to fulfil the daily nutritional requirements for essential nutrients, such as to provide a significant part of those requirements, as the case may be, of the persons for whom they are intended;

Whereas a number of products have been recently developed to be used as a replacement for snacks and to supply certain quantities of selected essential macro-nutrients and micronutrients; whereas the essential composition of those products will be adopted at a later date;

Whereas, in addition, the energy provided by the products covered by this Directive must be restricted;

Whereas the energy content of some products intended to replace the whole of the daily diet is very low; whereas specific rules for these very low energy products will be adopted at a later date;

Whereas this Directive reflects current knowledge about these products; whereas any modification to allow innovation based on scientific and technical progress will be decided by the procedure laid down in Article 13 of Directive 89/398/EEC;

Whereas pursuant to Article 4 (2) of Directive 89/398/EEC, the provisions relating to the substances with specific nutritional purposes to be used in the manufacture of the products should be laid down in a separate Commission Directive;

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Whereas the provisions relating to the use of additives in the manufacture of the products should be laid down in the relevant Council Directives;

Whereas pursuant to Article 7 of Directive 89/398/EEC, the products covered by this Directive are subject to the general rules laid down by Council Directive 79/112/EEC of 18 December 1978 on the approximation of the laws of the Member States relating to the labelling, presentation and advertising of foodstuffs⁽²⁾, as last amended by Commission Directive 93/102/EC⁽³⁾; whereas this Directive adopts and expands upon the additions and exceptions to those general rules, where it is appropriate;

Whereas, in particular, the nature and destination of the products covered by this Directive require nutritional labelling for the energy value and principal nutrients they contain;

Whereas the Scientific Committee for Food, in accordance with Article 4 of Directive 89/398/EEC, has been consulted on the provisions liable to affect public health;

Whereas the measures provided for in this Directive are in accordance with the opinion of the Standing Committee on Foodstuffs,

HAS ADOPTED THIS DIRECTIVE:

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- (1) OJ No L 186, 30.6.1989, p. 27.
- (2) OJ No L 33, 8.2.1979, p. 1.
- (3) OJ No L 291, 29.11.1993, p. 14.